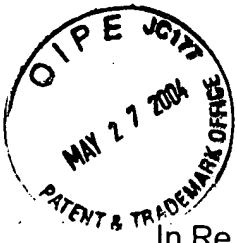


IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2812

Examiner: Richard A. BOOTH

In Re PATENT APPLICATION Of:

Applicant(s): Toshio NAGATA

Serial No.: 10/606,792

Filed: June 27, 2003

For: METHOD FOR FABRICATING A
SEMICONDUCTOR DEVICE
INCLUDING A TUNNEL OXIDE FILM

Docket No.: MAE 286

**RESPONSE TO
ELECTION OF SPECIES
REQUIREMENT**

May 27, 2004

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the Election Requirement dated April 27, 2004, Applicant elects the embodiment of species A in both groups A and B for examination.

It is not entirely clear what the Examiner means by groups A and B. One possibility is that group A consists of claims that limit the composition of the first film, and group B consists of claims that limit the annealing process. Assuming this interpretation, claims 2, 3, 11, and 12 (silicon nitride first film) read on the selected species in Group A, and claims 6, 7, 15 and 16 (dry oxygen annealing) read on the selected species in Group B. This election is made without traverse.

Examination of the application on the merits is respectfully requested.

Respectfully submitted,

Robert H. Berdo, Jr.
Registration No. 38,075
Customer No. 23995

May 27, 2004
Date

RHB:crh

FEE ENCLOSED:\$
Please charge any further
fee to our Deposit Account
No. 18-0002